



## Office of Insurance Regulation

### MEMORANDUM

**DATE:** January 31, 2024

**TO:** **Prepaid Health Clinics** – Financial Statement Contact Person

**FROM:** Carolyn Morgan, Director, Life & Health Financial Oversight

**SUBJECT:** **2024 FILING REQUIREMENTS**

This package is designed to assist Prepaid Health Clinics in preparing their filings with the Florida Office of Insurance Regulation (OIR). This information provides the filing requirements for companies holding a Certificate of Authority. Please be advised that this checklist is provided as a reference document only and is not intended to alter, amend, or replace statutory requirements.

This package has been designed to conform to the format adopted by the NAIC Standard Reporting Formats Working Group. The working group's objective is to move towards uniformity in the states' filing requirements checklists.

Filings shall be made utilizing the 2023 Annual Statement Instructions and Blanks and the 2024 Quarterly Statement Instructions and Blanks adopted by the National Association of Insurance Commissioners (NAIC).

All filings should be made electronically through the Regulatory Electronic Filing System (REFS) via the Industry Portal located at <https://apps8.fldfs.com/refs/Account/Login>. This checklist has been revised to reflect the electronic requirements.

Notable highlights from this year's package include:

- Electronic signatures and electronic notarizations are accepted by the OIR. See Notes G and H for additional information.
- See the Notes and Instructions section for the proper filing of the checks for payment of filing fees.
- Changes in Actuary now requires a letter from the actuary addressed to the Prepaid Health Clinic stating whether the actuary agrees with the statements contained in the Prepaid Health Clinic's letter, and if not, stating the reasons for which he does not agree. The Prepaid Health Clinic shall provide both letters to the OIR.

## INSTRUCTIONS FOR FILING REQUIREMENTS: QUESTIONS & ANSWERS

1. **The checklist indicates that the deadlines for filing statements are within 90 days of the fiscal year ending date, and within 45 days of the quarter-ending date. Do they have to be received by the OIR on that due date or postmarked by these dates?**
  - > The REFS filings must be received by the OIR no later than 5:00 PM on the applicable due date.
2. **If a filing requirement deadline falls on a weekend or holiday when is the filing due?**
  - > The deadline would be moved to the first business day following the original deadline.
3. **Will companies submitting late statements be fined?**
  - > **Yes.** Furthermore, failure to timely file statements is grounds for suspension of the company's Certificate of Authority.
4. **May I attach my check for the Annual Statement filing fee to my filing?**
  - > Remit Annual Statement filing fees directly to the **Florida Department of Financial Services** in accordance with instructions provided in this guide. Since the filings submitted to the OIR will now be done electronically through REFS, a copy of the check and invoice can be scanned and attached through REFS.
5. **Are all PHCs required to file certain documents electronically through REFS?**
  - > Yes, this requirement began with June 2006 quarterly financial statements. When using REFS please go to <https://www.floir.com/iportal> and click on the "Company filing" tab at the top and then the Industry Portal link. Then select Regulatory Electronic Filing System (REFS). The User Guide is available at <https://www.floir.com/siteDocuments/REFSUsersGuide2-0.pdf>. You will find the applicable adobe life cycle forms here.
6. **If the PHC does not have anything to report on a schedule or exhibit of the financial report, should the page be included in the report?**
  - > Yes, the page should be filed with "NONE" written on it.
7. **I have read the entire package but I still have questions regarding financial filings and/or solvency requirements (vs. rate/form or other). How can I reach the financial analyst in charge of my company?**
  - > To reach Life & Health Financial Oversight directly, dial (850) 413-3153. Support Staff will guide you to the individual analyst assigned to your company. The analyst can then give you his/her direct dial number for future reference.

**GENERAL INSTRUCTIONS  
FOR COMPANIES TO USE CHECKLIST  
Section 641.41, Florida Statutes and Rule 690-194.009, Florida Administrative Code**

1. Each prepaid health clinic (PHC) must file with the OIR annually, within 3 months after the end of its fiscal year, a report verified by the oath of at least two officers covering the preceding fiscal year.
2. Each PHC must file with the OIR, within 45 days from the quarter end for the first three quarters of the year, quarterly financial statements verified by the oath of at least two officers.
3. Such reports must be on forms prescribed by the OIR (Newly created forms in REFS and State forms OIR-A2-949 and OIR-A2-950).

**PREPAID HEALTH CLINICS**

COMPANY NAME: \_\_\_\_\_ NAIC Company Code: \_\_\_\_\_  
 Contact: \_\_\_\_\_ Telephone: \_\_\_\_\_

REQUIRED FILINGS IN THE STATE OF: Florida Filings Made During the Year 2023

(1) Check-list	(2) Line #	(3) REQUIRED FILINGS FOR THE ABOVE STATE	(4) NUMBER OF COPIES*		(5) DUE DATE	(6) FORM SOURCE**	(7) APPLICABLE NOTES
			Domestic State	Foreign State			
<b>I. NAIC FINANCIAL STATEMENTS</b>							
	1	Annual Statement (8 1/2" x 14")		N/A	90 days from fiscal year end	REFS & NAIC	D, E, F, G, H, J
	1.1	Printed Investment Schedule detail (Pages E01-E-27)		N/A	90 days from fiscal year end	NAIC	
	2	Quarterly Financial Statement (8 1/2" x 14")		N/A	45 days from quarter end	REFS & NAIC	D, E, F, G, H, J
<b>II. NAIC SUPPLEMENTS</b>							
	10	Accident & Health Policy Experience Exhibit	0	N/A	90 days from fiscal year end	NAIC	
	11	Actuarial Opinion	REFS	N/A	90 days from fiscal year end	Company	L
	12	Investment Risk Interrogatories	0	N/A	90 days from fiscal year end	NAIC	
	13, 14, 15, 16	Life Supplemental	0	N/A			
	17	Long Term Care Experience Reporting Forms	0	N/A	90 days from fiscal year end	NAIC	
	18	Management Discussion & Analysis	REFS	N/A	90 days from fiscal year end	Company	
	19	Medicare Supplement Insurance Experience Exhibit	0	N/A	90 days from fiscal year end	NAIC	
	20	Medicare Part D Coverage Supplement	0	N/A	90 days from fiscal year end; 45 days from quarter end	NAIC	
	21, 22	Property/Casualty Supplement	0	N/A			
	23	Risk-Based Capital Report	0	N/A		NAIC	
	24	Schedule SIS	REFS	N/A	90 days from fiscal year end	NAIC	
	25	Supplemental Compensation Exhibit	REFS	N/A	90 days from fiscal year end	NAIC	
<b>IV. AUDIT/INTERNAL CONTROL RELATED REPORTS</b>							
	71	Accountants Letter of Qualifications	REFS	N/A	90 days from fiscal year end	Company	N
	72	Audited Financial Statements	REFS	N/A	90 days from fiscal year end	Company	M
	73	Audited Financial Statements Exemption Affidavit	REFS	N/A			
	74	Communication of Internal Control Related Matters Noted in Audit	REFS	N/A	90 days from fiscal year end		V
	75	Independent CPA Awareness Letter	REFS	N/A	12/31	Company	Q
	76	Notification of Adverse Financial Condition	REFS	N/A	5 days	Company	O
	77	Request for Exemption to File	REFS	N/A	N/A	Company	
<b>V. STATE REQUIRED FILINGS***</b>							
	101	Filings Checklist (with Column 1 completed)	1	N/A	90 days from fiscal year end; 45 days from quarter end	State	J
	102	State Filing Fees	1	N/A	90 days from fiscal year end	State	C
	103	Disclosure of Material Transactions	REFS	N/A	As Required	Company	P
	104	Number of Contracts Issued and Outstanding, and the number of prepaid health clinic contracts terminated and a compilation of the reasons for such terminations	REFS	N/A	90 days from fiscal year end	State OIR-A2-949	R
	105	Number and amount of Damage Claims for Medical Injury	REFS	N/A	90 days from fiscal year end	State OIR-A2-950	S
	106	Evidence of Adequate Insurance	REFS	N/A	90 days from fiscal year end	Company	T
	107	Projected balance sheet, monthly operating statement and monthly cash budget	REFS	N/A	90 days from fiscal year end	Company	U
	108	List of the name and residence address of every person responsible for the conduct of the affairs of the clinic, together with a discourse of the extent and nature of any contract or arrangement between such person and the clinic, including any possible conflicts of interest	REFS	N/A	90 days from fiscal year end		
	109	Current list of all providers or provider groups under contract to the PHC (including physicians, group practices, specialists, and ancillary providers) stating the name, specialty and address of each provider or provider group	REFS	N/A	90 days from fiscal year end		
	110	Sample of each provider contract used	REFS	N/A	90 days from fiscal year end		
	111	List of subscriber contracts currently in use (listed by form number) with the rates for each contract	REFS	N/A	90 days from fiscal year end		

\*Column 4 State-EO (electronic only filing) and the OIR does not need a hard copy. The Adobe Life Cycle forms in REFS need to be completed for the quarterly or annual financial statements as indicated.

\*\*If Form Source is NAIC, the form should be obtained from the appropriate vendor.

	<b>NOTES AND INSTRUCTIONS (A-N APPLY TO ALL FILINGS)</b>
A	<p><b>Required Filings Contact Person:</b>  Carly Wagoner  Deputy Director  Life &amp; Health Financial Oversight, Florida Office  of Insurance Regulation  <a href="mailto:Carly.Wagoner@flor.com">Carly.Wagoner@flor.com</a>  (850) 413-3802</p> <p>Brandon Dickens  Financial Examiner/Analyst Supervisor  Life &amp; Health Financial Oversight  Florida Office of Insurance Regulation  <a href="mailto:Brandon.Dickens@flor.com">Brandon.Dickens@flor.com</a>  (850) 413 3800</p> <p>Teresa Nix  Financial Examiner/Analyst Supervisor  Life &amp; Health Financial Oversight  Florida Office of Insurance Regulation  <a href="mailto:Teresa.nix@flor.com">Teresa.nix@flor.com</a>  (850) 413 5015</p>
B	<p><b>Mailing Address:</b>  <u>No longer applicable to financial filings.</u></p> <p>NOTE: Financial filings are to be submitted using the Regulatory Electronic Filing System (REFS) located on the OIR's Industry Portal at <a href="http://www.flor.com/iportal">http://www.flor.com/iportal</a>. Please refer to the REFS user guide posted on the OIR's website at <a href="https://www.flor.com/siteDocuments/REFSUsersGuide2-0.pdf">https://www.flor.com/siteDocuments/REFSUsersGuide2-0.pdf</a>.</p> <p>OIR web site: <a href="http://www.flor.com">www.flor.com</a></p>
C	<p><b>Filing Fees, Florida Statutes 641.412(1)(b):</b>  The \$150.00 Annual Statement Filing Fees should be attached to a letter identifying the regulated entity, and the purpose of the check (filing fee pursuant to Section 641.412(1)(b), Florida Statutes) and should be submitted to the Florida Department of Financial Services, Revenue Processing Section, P. O. Box 6100, Tallahassee, Florida 32314-6100. A copy of the check and invoice form can be scanned, and uploaded into REFS as evidence of submission to DFS.</p>
D	<p><b>Delivery Instructions:</b>  Annual and Quarterly Financial Statement filings (with all printed schedules and exhibits), must be electronically submitted through REFS no later than 5 p.m. on the indicated due date. If the due date falls on a weekend or holiday, the deadline would be moved to the first business day following the original due date.</p>
E	<p><b>Late Filings, Section 641.41(2), Florida Statutes:</b>  Companies will be fined for late filings, up to \$100 per day. The company's license may be suspended if filings are not received timely.</p>
F	<p><b>Signatures:</b>  Signatures are required on annual and quarterly statements filed by all PHCs. After the jurat page is signed by the officers and notarized, the signed jurat page should be scanned and uploaded as a document in REFS.</p> <p>The OIR will accept electronic signatures that comply with the requirements of Chapter 668, Florida Statutes, most notably Section 668.50, Florida Statutes. The OIR will also accept electronic notarizations that comply with Chapter 117, Part II, Florida Statutes, or the laws of the state from which the document was notarized. The Florida Department of State provides a list of approved Remote Online Notaries at <a href="https://dos.myflorida.com">https://dos.myflorida.com</a>.</p>

G	<p><b>Signature/Notarization/Certification:</b></p> <p>Annual and Quarterly financial statement filings must have at least two signatures of executive officers whose names appear on the jurat page with a notary seal.</p> <p>The OIR will accept electronic signatures that comply with the requirements of Chapter 668, Florida Statutes, most notably Section 668.50 (<a href="http://leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&amp;Search_String=&amp;URL=0600-0699/0668/Sections/0668.50.html">http://leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&amp;Search_String=&amp;URL=0600-0699/0668/Sections/0668.50.html</a>). The OIR will also accept electronic notarizations that comply with Chapter 117, Part II, Florida Statutes, or the laws of the state from which the document was notarized. The Florida Department of State provides a list of approved Remote Online Notaries at <a href="https://dos.myflorida.com/sunbiz./approved-notaries/">https://dos.myflorida.com/sunbiz./approved-notaries/</a>.</p>
H	<p><b>Amended Filings:</b></p> <p>See NAIC Annual Statement Instructions for guidance on amended filings.</p>
I	<p><b>Exceptions from Normal Filings:</b></p> <p>Any request for an extension of filing the annual report shall be in writing and the reason(s) for the extension explained in detail. All requests must be filed with the OIR fifteen (15) days prior to the deadline date for filing the annual report. Any extension request received less than fifteen (15) days prior to due date will be denied except for unavoidable</p>

	<p>circumstances. Unavoidable circumstances include, but are not limited to, death of key personnel or destruction of records by fire, hurricane, or other natural disasters.</p>
J	<p><b>Filings Checklist Instructions:</b>  Attach a Required Filings Checklist to each filing submitted to the OIR. Fill in the company name, federal employer identification number, and NAIC company code (if applicable). In column (1) check off the items being submitted and attach the checklist as the cover page.</p>
K	<p><b>NONE Filings:</b>  In the annual statement, a) a disclosure or response must be provided for every item (indicate “none” or “not applicable” if appropriate), and b) the company must not alter the number scheme of the notes.</p>
L	<p><b>Statement of Actuarial Opinion, Rule 690-194.009(2)(f):</b>  Each PHC licensed to do business in this state shall annually, with its annual statement, submit an actuarial report certified by a qualified independent actuary or qualified employee, that:</p> <ol style="list-style-type: none"> <li>1. The prepaid health clinic is actuarially sound, which certification shall consider the rates, benefits, and expenses of, and any other funds available for, the payment of obligations of the organization.</li> <li>2. The rates being charged or to be charged are actuarially adequate to the end of the period for which rates have been guaranteed.</li> <li>3. Incurred but not reported claims and claims reported but not fully paid have been adequately provided for.</li> </ol>
M	<p><b>Audited Financial Statement, Rule 690-194.009(2)(b):</b>  The Audited Financial Report must be filed with this OIR within three (3) months after the end of each fiscal year. The Annual Audited Financial Report shall report the financial position of the PHC as of the end of the most recent fiscal year and the results of its operations, cash flows, and changes in capital and net worth for the year then ended in conformity with statutory accounting practices prescribed, or otherwise permitted by the OIR. The Annual Audited Financial Report shall include the following:</p> <ol style="list-style-type: none"> <li>1. Report of independent Certified Public Accountant.</li> <li>2. Balance sheet reporting admitted assets, liabilities, capital and net worth.</li> <li>3. Statement of operations.</li> <li>4. Statement of cash flows.</li> <li>5. Statement of changes in capital and net worth.</li> <li>6. Notes to financial statements. These notes shall be those required by the appropriate NAIC Annual Statement instructions and any other notes required by generally accepted accounting principles and shall also include: <ol style="list-style-type: none"> <li>a. A reconciliation of differences, if any, between the Audited Financial Report and the Annual Statement with a written description of the nature of these differences.</li> <li>b. A summary of ownership and relationships of the PHC and all affiliated companies.</li> </ol> </li> <li>7. The financial statements included in the Audited Financial Report shall be prepared in a form and using language and groupings substantially the same as the relevant sections of the Annual Statement of the PHC filed with the OIR. The financial statements shall be comparative, presenting the amount as of the current year and the amounts as of the immediately preceding fiscal year end.</li> </ol>
N	<p><b>Accountant’s Letter of Qualifications:</b>  The accountant shall furnish a Letter of Qualifications to the PHC for filing with the Annual Audited Financial Report. The letter shall state:</p> <ol style="list-style-type: none"> <li>1. That the accountant is independent with respect to the PHC and conforms to the standards of his/her profession.</li> <li>2. The background and experience in general, and the experience in audits of PHCs of the staff assigned to the engagement and whether each is an independent Certified Public Accountant.</li> <li>3. That the accountant understands the annual Audited Financial Report, and his/her opinion thereon will be filed in compliance with the Florida Statutes, and that the OIR will be relying on this information in the monitoring and regulation of the financial position of PHCs.</li> <li>4. That the accountant consents and agrees to make the work papers available for review by the OIR.</li> <li>5. A representation that the accountant is properly licensed by an appropriate state licensing authority.</li> </ol>
O	<p><b>Notification of Adverse Financial Condition:</b>  All PHCs required to furnish the annual Audited Financial Report shall require the independent Certified Public Accountant to report in writing, to the board of directors or its audit committee any determination by the accountant that the PHC has materially misstated its financial condition as reported to the OIR as of the balance sheet date currently under examination, or that the PHC does not meet the minimum capital and surplus requirement of the Florida Insurance Code. A PHC who has received such a report shall forward a copy to the OIR within 5 business days.</p>
P	<p><b>Disclosure of Material Transactions:</b></p>



	All PHCs are required to submit with each annual report adequate disclosure of material transactions between the PHC and related parties. A list of the names and residence addresses of all persons responsible for the conduct of its affairs, together with a disclosure of the extent and nature of any contracts or arrangements between such persons and the prepaid health clinic, including any possible conflicts of interest.
Q	<b>Independent CPA/Awareness Letter:</b> Designation of independent C.P.A. must be filed by the company's fiscal year end date.
R	<b>The Number of PHC Contracts Issued and Outstanding and the Number of PHC Contracts Terminated:</b> As required by Section 641.41(1)(c), Florida Statutes, the annual report shall include the number of PHC contracts, issued and outstanding, and the number of prepaid health clinic contracts terminated. Form OIR-A2-949 should be completed. This form can be submitted as an attachment in REFS.
S	<b>The Number and Amount of Damage Claims for Medical Injury:</b> As required by Section 641.41(1)(e), Florida Statute, the annual report shall include the number and amount of damage claims for medical injury initiated against the PHC, and if known, any of the providers engaged by it during the reporting year, broken down into claims with and without formal legal process, and the disposition, if any, of each such claim. Form OIR-A2-950 should be completed. This form can be submitted as an attachment in REFS.
T	<b>Evidence of Adequate Insurance:</b> As required by F.A.C. 69O-194.004, evidence of the existence of insurance or a plan for self-insurance approved by the OIR must be submitted at least 30 days prior to the expiration date of the policy and with each annual report. The OIR shall consider the potential general liability and potential malpractice liability of a PHC in determining an appropriate amount of insurance.
U	<b>Projected Balance Sheet, Operating Statement and Cash Budget:</b> As required by F.A.C. 69O-194.009(2)(c-e), the annual report shall include a projected balance sheet for the end of the next reporting period, a projected monthly operating statement for the next reporting period and a projected monthly cash budget covering the next reporting period.
V	<b>Communication of Internal Control Related Matters Noted in Audit (has replaced Report of Significant Deficiencies in Internal Control):</b>  1. In addition to the annual Audited Financial Report, each Prepaid Health Clinic shall furnish the OIR with a written communication as to any material weaknesses in its Internal control over financial reporting noted during the audit. Such communication shall be prepared by the accountant within sixty (60) days after the filing of the annual Audited Financial Report, and shall contain a description of any material weakness (as the term material weakness is defined by AU Section 325 of the Professional Standards of the AICPA, Communicating Internal Control Related Matters Identified in an Audit) as of December 31 immediately preceding (so as to coincide with the Audited Financial Report discussed in subsection (4)) in the Prepaid Health Clinic's Internal control over financial reporting noted by the accountant during the course of their audit of the financial statements. If no material weaknesses were noted, the communication should so state. 2. The Prepaid Health Clinic is required to provide a description of remedial actions taken or proposed to correct material weaknesses if the actions are not described in the accountant's communication.